Route 212

Updated: December 2005

Junction with Route 1 in Washington Town southerly, via Washington fields to Route 64, May 13, 1941.

1953 Description:
From Route 1 in Washington Town southerly, via Virgin River Bridge to Washington Field; thence westerly to Route 64.

1963 Description:
This route was change to read:
From Route 64 easterly, via Washington Fields; thence to the Virgin River; thence northerly, to Route 1 in Washington Town. This route was **approved by the Legislature**.

1964 Description:
From Route 64 easterly via Washington Fields; thence to the Virgin River; thence northerly to Route 1 (Interstate 15) west of Washington Town. ****(***(A) Scanned**)** 7/10/64.

1965 Legislature:
A portion of the old alignment of SR-1 transferred to this route.

1967 Legislature:

1969 Legislature:
From junction SR-64 easterly 7.194 miles to Washington Town *Withdrawn* as a State Route.

1969 Description:
From Washington westerly to SR-1 (Interstate 15).

1979 Legislature Description:
From Washington westerly to Route 15.

1981 Legislature: Description remains the same.
1983 Legislature: Description remains the same.
1985 Legislature: Description remains the same.
1986 Legislature: Description remains the same.
1987 Legislature: Description remains the same.
1988 Legislature: Description remains the same.
1990 Legislature: Description remains the same.

Route 212 Continued

1992 Legislature: Description remains the same.

*Commission Action: November 6,92.
Extended SR-212 from 200 East Street to 300 East Street in Washington.

1993 Legislative Description:
From the northwest frontage road of Washington Interchange southeasterly; thence northeasterly and easterly to 300 East Street in Washington.

1994 Legislature: Description remains the same.
1995 Legislature: Description remains the same.
1996 Legislature: Description remains the same.
1997 Legislature: Description remains the same.

1998 Legislative Description:
From the northwest frontage road of Washington Interchange southeasterly; then northeasterly and easterly to 300 East Street in Washington.

1999 Legislature: Description remains the same.
2000 Legislature: Description remains the same.
2001 Legislature: Description remains the same.
2002 Legislature: Description remains the same.
2003 Legislature: Description remains the same.
2004 Legislature: Description remains the same.

* Refers to resolution index page following.
**Refers to Scanned Computer Resolution index on the following page.

Route 212

COUNTY/VOLUME & RESOLUTION NUMBER

A. Washington Co. 1/78 **B.** Washington Co. 9/24

DESCRIPTION OF RESOLUTION CHANGE

(**A**). Extension -	From its current termini in Washington, westerly, following the old alignment of SR-1 to the I-15 Washington Interchange.
(**B**). Extension -	From 200 East via Telegraph Street to 300 East in Washington.

Relinquishment of Realigned Highway
Change and Transfer in State and Federal-Aid Route Numbers
(Authority: Sec. 27-12-29, UCA, 1953, as Amended)

RESOLUTION

State Route 1 old
State Route 212 orig

WHEREAS, with the near completion of Project I-15-1(15)9 from Middleton to south of Leeds, Washington County and

WHEREAS, to maintain continuity in the State Road System and Federal-aid System and

WHEREAS, a portion of the old alignment of State Route 1 will no longer be justified as a part of the State Highway System but, nevertheless, will still serve as a public road.

NOW, THEREFORE, pursuant to the authority of Section 27-12-29, UCA, 1953, AS AMENDED, it is hereby resolved as follows;

1. That State Route 1 be transferred to the new roadway created by the completion of Project I-15-1(15)9.

2. That State Route 212 be extended from its present termini in Washington Town westerly, traversing a portion of the old alignment of State Route 1, to Washington Interchange.

3. That the old alignment of State Route 1 between Enginneers Station 585 - - to 173 - - Project I-15-1(15)9, with the exception of that portion re-designated State Route 212, be transferred to the jurisdiction of Washington County and Washington Town respectively.

4. That application be made to the U. S. Department of Commerce, Bureau of Public Roads to relocate Federal-aid Primary Route 1 and extend Federal-aid Secondary Route 415 as a result of the aforementioned State Route changes.

5. That by this action, State Highway System mileage will be increased

SR-1 & 212
78

Relinquishment of Realigned Highway
Change and Transfer in State and Federal-Aid Route Numbers
(Authority: Sec. 27-12-29, UCA, 1953, as Amended)

RESOLUTION

State Route 1 old
State Route 212 orig

WHEREAS, with the near completion of Project I-15-1(15)9 from Middleton to south of Leeds, Washington County and

WHEREAS, to maintain continuity in the State Road System and Federal-aid System and

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5. That by this action, State Highway System mileage will be increased

SR-1 & 212
78

Relinquishment of Realigned Highway
Change and Transfer in State and Federal-Aid Route Numbers
(Authority: Sec. 27-12-29, UCA, 1953, as Amended)

27-1-2
27-212-1

1-2

RESOLUTION

State Route 1 / Board * old
State Route 212 / Board * Orins

WHEREAS, with the near completion of Project I-15-1(15)9 from Middleton to south of Leeds, Washington County and

WHEREAS, to maintain continuity in the State Road System and Federal-aid System and

WHEREAS, a portion of the old alignment of State Route 1 will no longer be justified as a part of the State Highway System but, nevertheless, will still serve as a public road.

NOW, THEREFORE, pursuant to the authority of Section 27-12-29, UCA, 1953, AS AMENDED, it is hereby resolved as follows;

1. That State Route 1 be transferred to the new roadway created by the completion of Project I-15-1(15)9.

2. That State Route 212 be extended from its present termini in Washington Town westerly, traversing a portion of the old alignment of State Route 1, to Washington Interchange.

3. That the old alignment of State Route 1 between Enginneers Station 585 - - to 173 + - Project I-15-1(15)9, with the exception of that portion re-designated State Route 212, be transferred to the jurisdiction of Washington County and Washington Town respectively.

4. That application be made to the U. S. Department of Commerce, Bureau of Public Roads to relocate Federal-aid Primary Route 1 and extend Federal-aid Secondary Route 415 as a result of the aforementioned State Route changes.

5. That by this action, State Highway System mileage will be increased

SR-1 & 212
78

approximately 1.4 miles, Washington County "B" mileage will be increased approximately 6.0 miles and Washington Town "C" mileage will be increased 1.0 mile, at such time as the new alignment is placed in traffic service.

6. That Exhibit "A" attached herewith; illustrating the action taken herewith is hereby incorporated as a part of this submission.

Dated this 10th day of July, 1964.

STATE ROAD COMMISSION OF UTAH

Chairman

Commissioner

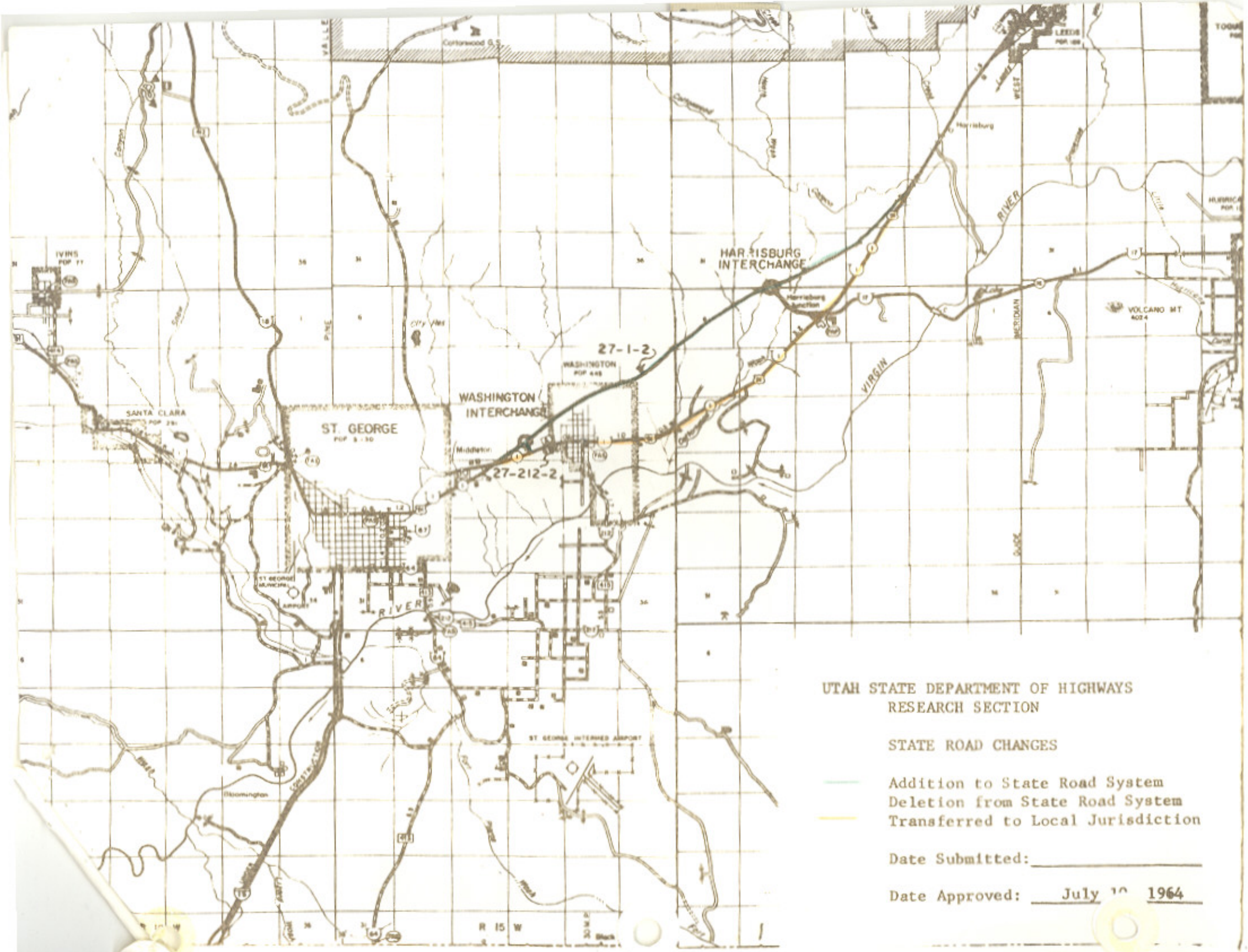
Commissioner

Commissioner

Commissioner

ATTEST:

Secretary



UTAH STATE DEPARTMENT OF HIGHWAYS
RESEARCH SECTION

STATE ROAD CHANGES

Addition to State Road System
Deletion from State Road System
Transferred to Local Jurisdiction

Date Submitted: _____

Date Approved: July 10 1964

Ext SR-212 Funct Class [illegible]

24

RESOLUTION

Extension of SR-212
Functional Classification Changes
in Washington City
Washington County

Whereas, Section 27-12-27 of the Utah Code 1992 provides for the addition or deletion of highways from the State Highway System - Designation of highways as state highways between sessions, and

Whereas, agreement was accomplished between the Transportation Commission and Washington City Officials meeting on October 30, 1992, concerning extension of SR-212 from its present termini at 200 East Street to 300 East Street in Washington City, along with Functional Class changes to other Washington City Streets and roadway that traverses into Washington County, as described within this resolution, and

Whereas, the changes described within this resolution have been recommended by the District Five Director along with the Statewide Planning Engineer, and

Whereas, the appropriate staff of the Transportation Planning Division has reviewed the proposed functional Class changes, along with the proposed extension of SR-212, concur with the foregoing changes stated within this resolution.

NOW THEREFORE, be it resolved as follows:

1. Roadway known as Telegraph Street (SR-212) from 200 East Street to 300 East Street will be functionally reclassified from Local Road to Major Collector and be an extension of SR-212 a distance of 0.09± miles, when this section of roadway is upgraded and improved to the satisfaction of the District Five Director. The remainder of Telegraph Street from 300 East Street to a jct. with SR-9 a distance of 5.50± miles will be functionally reclassified from Local Road to Major Collector.

2. A city street known as 300 East Street in Washington City, from 400 South Street to Telegraph Street a distance of 0.38± miles be functionally reclassified, from Local Road to Major Collector.

3. City Streets known as 200 East Street and 400 South Street traversing southerly from Telegraph Street to 400 South Street then via 400 South Street to 300 East Street a distance of 0.40± miles be functionally reclassified from Major Collector to Local Road.

4. The stated transaction involving the extension of SR-212 from 200 East Street to 300 East Street will be actuated upon approval of the Transportation Commission and when the roadway has been upgraded and improved to the satisfaction of the District Five Director. The Functional Class Changes will be actuated upon approval of the Transportation Commission.

5. The accompanying letter and map will be made part of this resolution.

Extension of SR-212
Functional Classification Changes
in Washington City
Washington County

Dated on this 6th day of November 1992

UTAH TRANSPORTATION COMMISSION

Samuel G. Taylor
Chairman

Wayne B. Chambers
Vice-Chairman

Max S. Weston
Commissioner

James G. Larkin
Commissioner

Fred D. Lewis
Commissioner

Attest:

Shirley J. Samuelson
Secretary

07

Memorandum · UTAH DEPARTMENT OF TRANSPORTATION

DATE: December 13, 1993

TO : Clint Topham, P.E.
Director of Planning

FROM : J. R. Chamberlain
District 5 Director

SUBJECT: Addition to SR-212

Washington City has now completed the work required to bring the one block section of Telegraph Street between 200 East and 300 East to an acceptable standard to be added to the State System.

I would like to request that you extend SR-212 from East to 300 East per our prior agreement with Washington City as was approved by the Transportation Commission.

J.R. This is already done - It goes to the legislature on the Master Highway Bill Jan 17th

JRC:djas

Glenn:
Clint said you need to have this memo.
He's sorry he's written on it.
Thanks,
Robbie

R
. Larry Jolley

MANAGER
ph Y. McClure

TREASURER
Carla Mitchell

USTICE COURT JUDGE
Lee L. Bunnell

Washington City

111 NORTH 100 EAST
P.O. BOX 575
WASHINGTON, UTAH 84780
(801) 628-1666
Telecopier (801) 628-8024

HERITAGE · PRIDE · PROGRESS

UDOT
RECEIVED
OCT 23 1992
UDOT

October 20, 1992

Eugene Findley
Utah Dept. of Transportation
4501 S. 2700 W.
Salt Lake City, UT 84119

Dear Mr. Findley:

I have been informed of the upcoming U.D.O.T. Transportation Commission Meeting; which is to be held on Oct. 30, 1992 in St. George City. It is my understanding that the Agenda includes the subject of Telegraph Street being given a designation of a "Major Collector" and that the block between 200 East and 300 East on Telegraph be added to SR 212.

It is our intent to present oral comments during the meeting, if this is permitted. Please advise us if this is so.

We have other concerns regarding the proposed improvement and widening which is scheduled for SR 9.

I am sure you are aware of the Wal-Mart, as well as the Andalex mining project. We are of the opinion the proposed "T" type intersections, one going North and one going South 1,000 ft. apart will create a major hazard. Plans are being made for a major development in the same area; which includes 5,600 dwelling units. When U.D.O.T. prepared the plans for the SR 9 project, I am sure they were not aware of the level of activity that is taking place in this area.

Washington City is of the opinion that the alignment of Telegraph with SR 9 should remain in approximately the same location. For sight distance and storage of traffic considerations aproaches both North and South should be straigntened so as to make a 90 degree crossing angle. We foresee the time that this will be a signalized intersection.

Presently a portion of the property in the area is located in Washington County. An Agreement has been reached, however, between Hurricane City and Washington City as to annexation. These plans are proceeding and will be consummated in the near

future.

I strongly urge you to have your Staff review the plans and make the suggested changes. Should they need additional information, we will gladly assist them in any way we can.

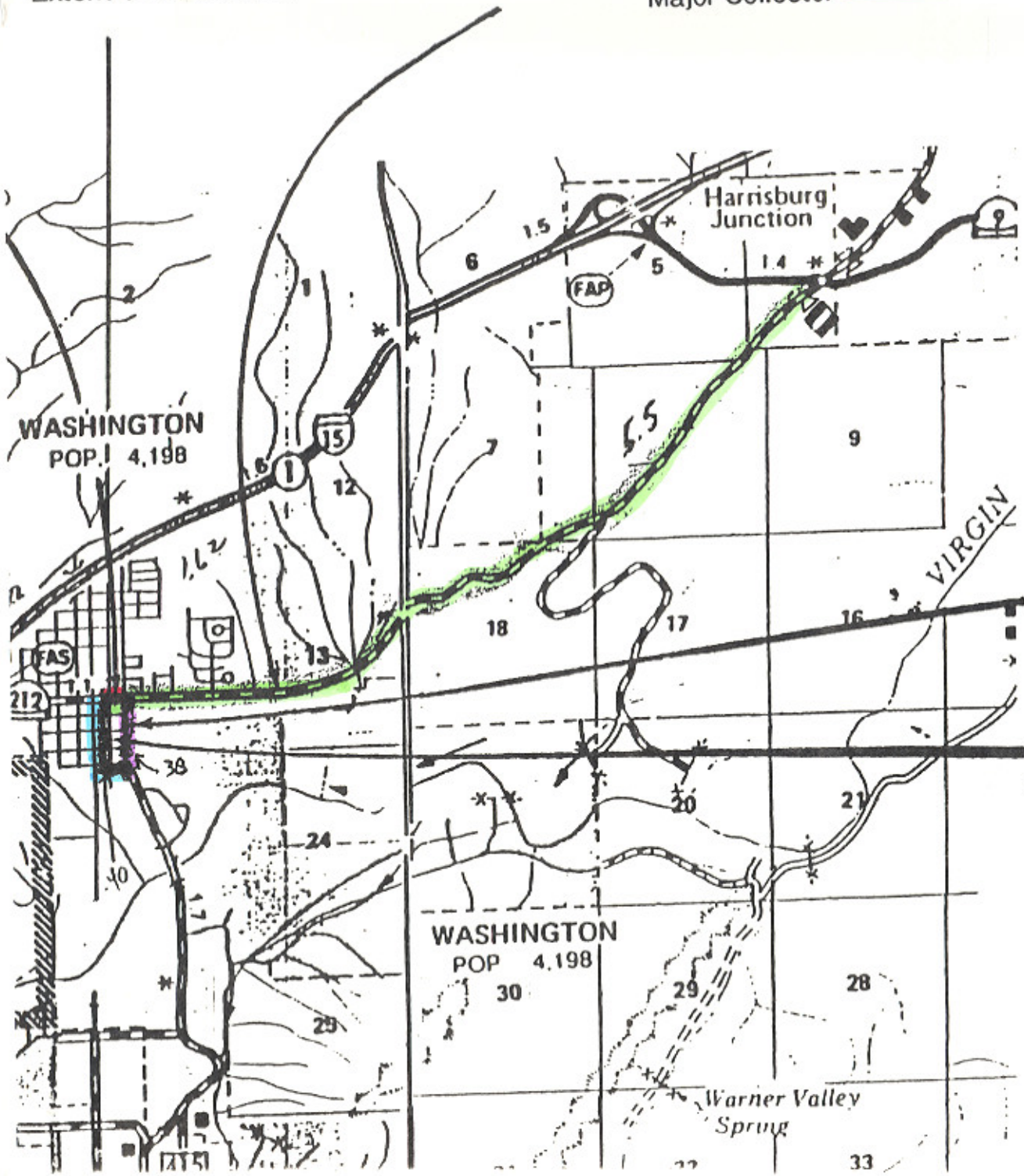
Sincerely,

Charles L. Jolley
Mayor

JVS/cw
cc: Ralph McClure, City Manager
Steve Snow, City Attorney
John Van Staveren, Public Service Director

Extension to SR-212

Functionally Reclassify
Major Collector



Functionally
Reclassify
300 East to
major collector

Functionally
Reclassify
200 East and
400 South
to local

1042 Claim SR-1 SR-91

R-234

MEMORANDUM

UTAH DEPARTMENT OF TRANSPORTATION

DATE: March 3, 1994

TO: Pete Monson, P.E.
Right of Way Engineer

FROM: Glen M. Nielsen
Transportation Records Manager

SUBJECT: Resolution transferring old US 91 (SR-1)

This is the only resolution I could find regarding the area that we discussed yesterday. I doubt this will resolve any of the questions regarding ownership of Right of Way. The only suggestion I would have with regards to ownership, is to contact our Right of Way Division on the fourth floor.

Enclosures

Relinquishment of Realigned Highway
Change and Transfer in State and Federal-Aid Route Numbers
(Authority: Sec. 27-12-29, UCA, 1953, as Amended)

RESOLUTION

State Route 1
State Route 212

WHEREAS, with the near completion of Project I-15-1(15)9 from Middleton to south of Leeds, Washington County and

WHEREAS, to maintain continuity in the State Road System and Federal-aid System and

WHEREAS, a portion of the old alignment of State Route 1 will no longer be justified as a part of the State Highway System but, nevertheless, will still serve as a public road.

NOW, THEREFORE, pursuant to the authority of Section 27-12-29, UCA, 1953, AS AMENDED, it is hereby resolved as follows;

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5. That by this action, State Highway System mileage will be increased

approximately 1.4 miles, Washington County "B" mileage will be increased approximately 6.0 miles and Washington Town "C" mileage will be increased 1.0 mile, at such time as the new alignment is placed in traffic service.

6. That Exhibit "A" attached herewith; illustrating the action taken herewith is hereby incorporated as a part of this submission.

Dated this 10th day of July, 1964.

STATE ROAD COMMISSION OF UTAH

Ernest H Baker
Chairman

Francis Feltch
Commissioner

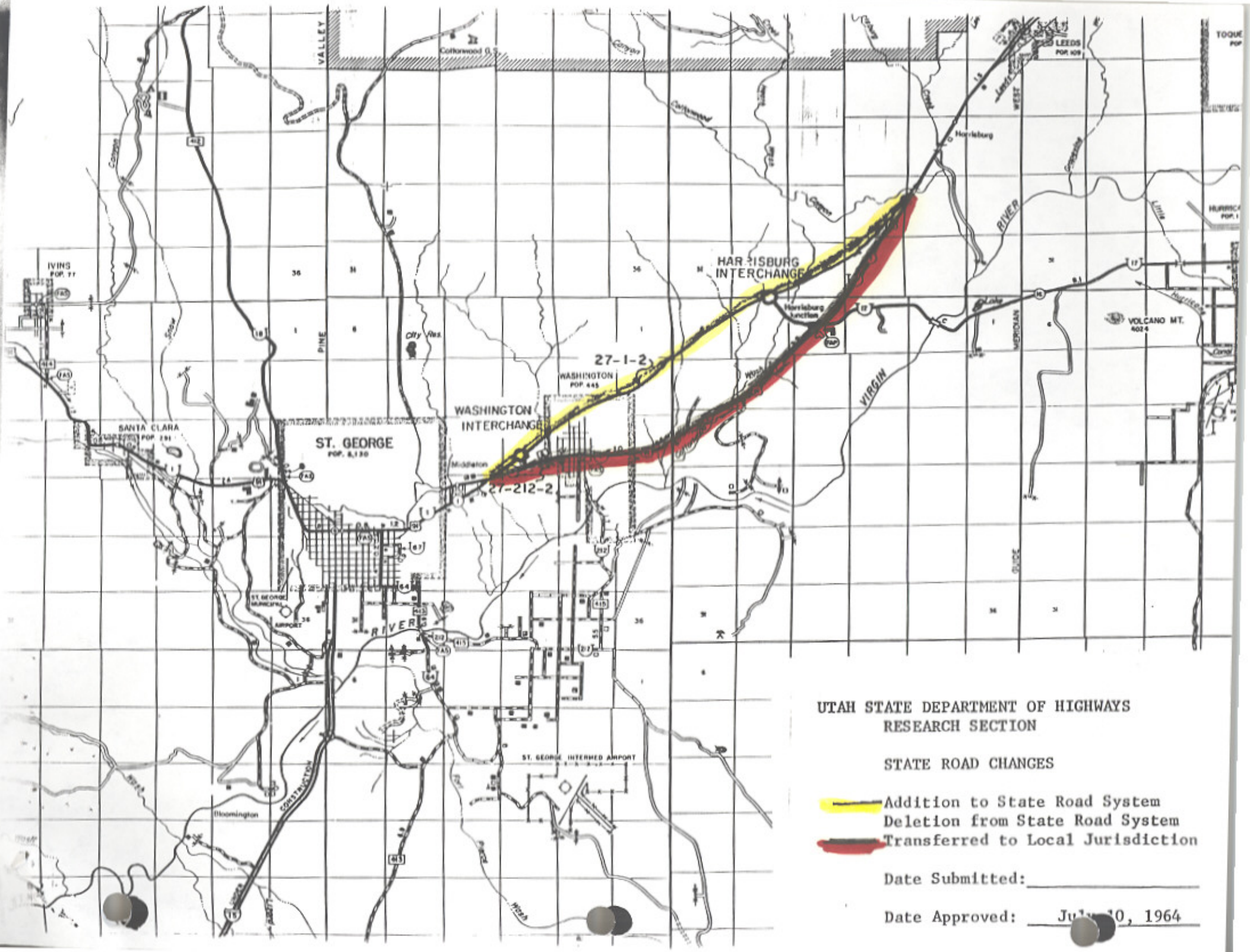
Elias Strong
Commissioner

Ames K Bagley
Commissioner

W J Smith
Commissioner

ATTEST:

Clarence J Allred
Secretary



UTAH STATE DEPARTMENT OF HIGHWAYS
RESEARCH SECTION

STATE ROAD CHANGES

Addition to State Road System
Deletion from State Road System
Transferred to Local Jurisdiction

Date Submitted: _____

Date Approved: July 10, 1964

Southern Utah Title Company

February 15, 1995

ALPHA ENGINEERING
Attn: Brent Gardner
148 East Tabernacle
St. George, UT 84770

FAX 628-6553

Brent:

In confirmation of our telephone conversation this afternoon, please ask ~~Scott Hirschi~~ U.D.O.T. to give us a letter, as follows:

"The State of Utah hereby disclaims any right, title, and interest in and to the old roadway roadbed of Highway 91 as the same lies within All of GATEWAY NORTH INDUSTRIAL PARK PHASE I AMENDED situated in Washington County, State of Utah."

_____."

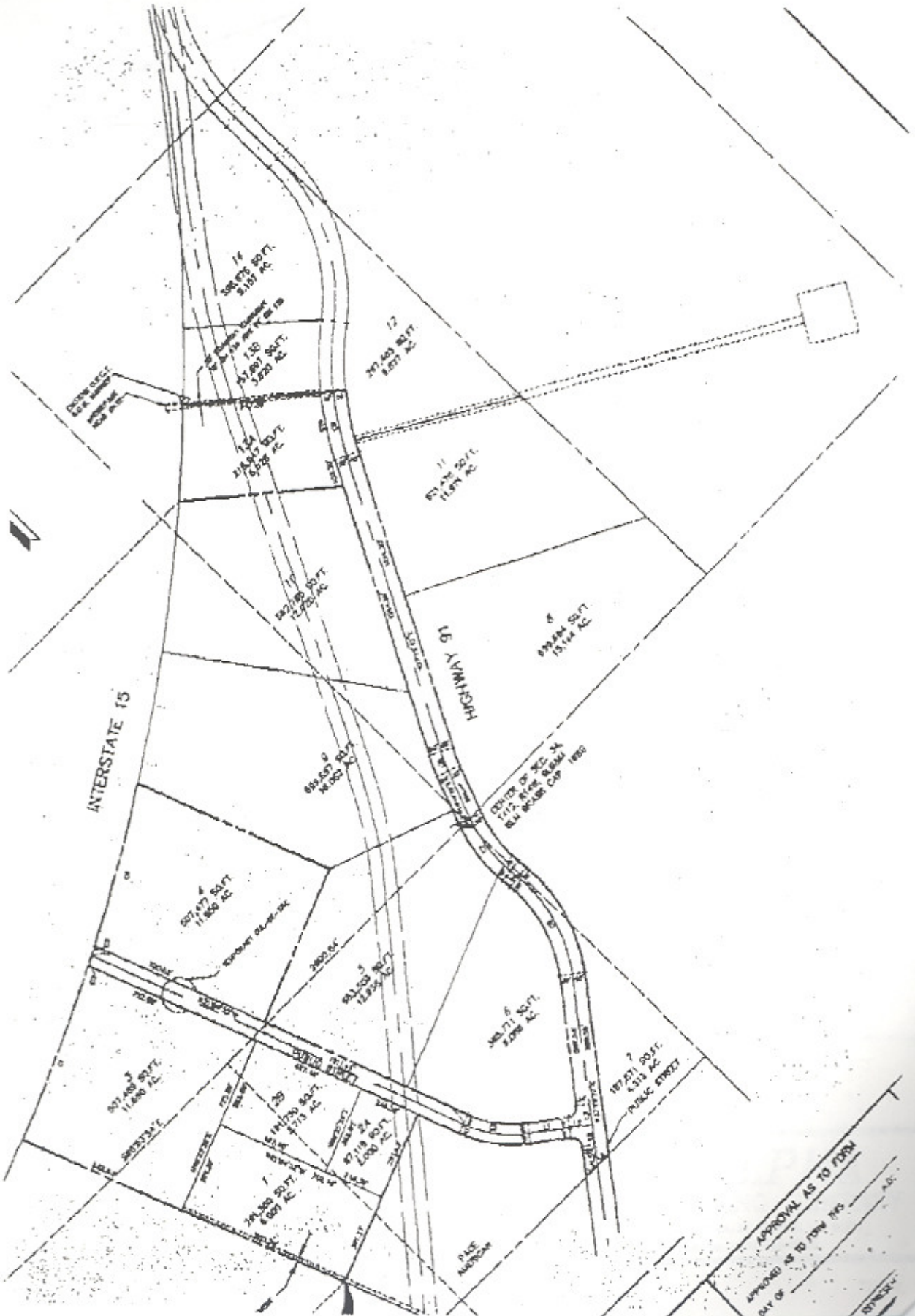
By so doing our underwriter has authorized us to remove as an exception to title reports in said Subdivision (and those lots so affected by the old roadbed), any reference to the prescriptive Easement for old Highway 91.

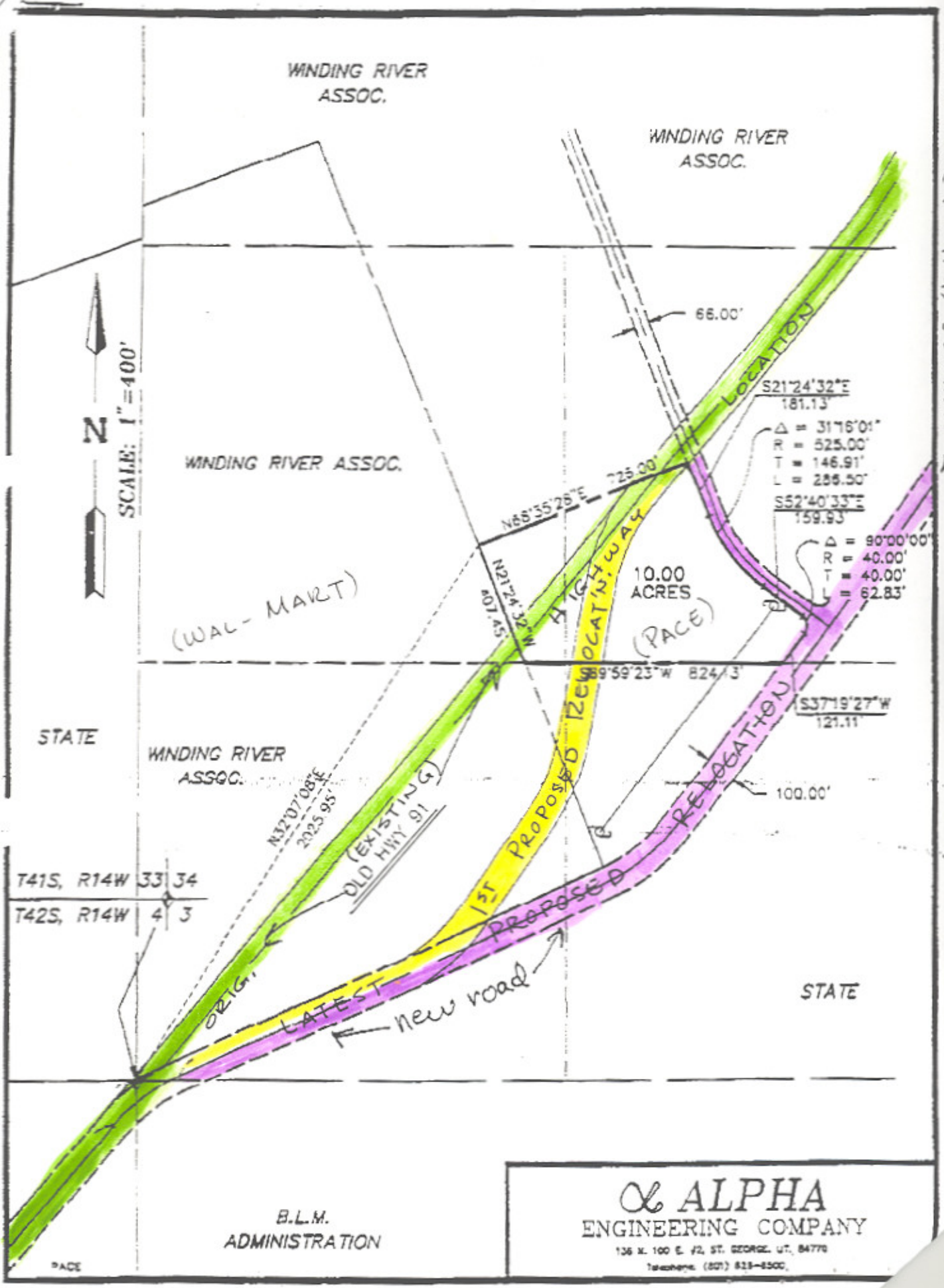
I was under the impression we received such a letter when we closed the original Pace American purchase, but after reviewing the file I found that such disclaimer applied only as to that site alone.

Very Truly Yours,

SOUTHERN UTAH TITLE COMPANY
H. Allan Carter, Director

40 SOUTH 100 EAST, P.O. BOX 190, ST. GEORGE, UTAH 84770 TELEPHONE (801) 628-0404 FAX (801) 628-6581


INTERSTATE 15
HIGHWAY 91
APPROVAL AS TO FORM



WHERE (& HOW) DOES THIS TIE BACK IN WITH EXIST

TOTA

3-6-95
8.

Michael O. Leavitt
Governor

W. Craig Zwick
Executive Director

Clint Topham
Deputy Director

Dana A. Meier
District Engineer

State of Utah

UTAH DEPARTMENT OF TRANSPORTATION

Cedar City District
P.O. Box 1009
1470 North Airport Road
Cedar City, Utah 84721-1009
(801) 586-4491
Fax: (801) 586-8268

Transportation Commission
Glen E. Brown
Chairman
Todd G. Weston
Vice Chairman
James G. Larkin
Ted D. Lewis
Hal M. Clyde
Shirley J. Iverson
Secretary

March 3, 1995

Mr. H. Allan Carter, Director
Southern Utah Title Company
40 South 100 East
St. George, Utah 84770

RE: U.D.O.T. Relinquishment of Title on Old US-91 north of Wal-Mart Warehouse Facility, Washington County

Dear Mr. Carter:

As a follow-up to your letter of February 15, 1995 to Brent Gardner of Alpha Engineering, the Utah Department of Transportation (UDOT) hereby disclaims any right, title or interest to the old existing Highway 91 roadway and right of way lying within the boundaries of **Gateway North Industrial Park Phase I Amended,** situated north of State Road 9 in Washington County, Utah.

This corridor has been prescriptive right of way and the jurisdiction to maintain the roadway was transferred to Washington County by the State Road Commission on July 10, 1964. We understand the subject corridor has all been included by annexation into Hurricane City now.

We support the improvements made on the new, re-located alignment and, as long as the proposal conforms to Hurricane City's Master Street Plan and re-connects with old US-91 to perpetuate public access to the Harrisburg area, we have no objection.

UTAH CENTENNIAL 1896-1996

an equal opportunity employer

This request has been reviewed and approved by the UDOT Regional Director and right of way staff. We trust this provides the information and approval you need to process the re-alignment as proposed. If there is anything else we can help with, let us know.

Yours truly,

Dana A. Meier, P.E.
Cedar District Engineer

DAM\jls

cc: Hurricane City Corporation

David Nuffer, Attorney
Snow, Nuffer, Engstrom & Drake
P.O. 400
St. George, UT 84771-0400

Dale E. Peterson, P.E.
Region Four Director

Pete K. Monson, P.E.
Right of Way Engineer

(DRAFT)

March 3, 1995

H. Allan Carter, Director
Southern Utah Title Co.
40 South 100 East
St. George, Utah 84770

Dear Mr. Carter,

Subject: U.D.O.T. Relinquishment of Title on Old US-91 north of Wal-Mart Warehouse Facility, Washington County.

As a followup to your letter of February 15, 1995 to Brent Gardner of Alpha Engineering, the Utah Department of Transportation (UDOT) hereby disclaims any right, title or interest to the old existing Highway 91 roadway and right of way lying within the boundaries of GATEWAY NORTH INDUSTRIAL PARK PHASE I AMENDED, situated north of State Road 9 in Washington County, Utah.

This corridor has been prescriptive right of way and the jurisdiction to maintain the roadway was transferred to Washington County by the State Road Commission on July 10, 1964. We understand the subject corridor has all been included by annexation into Hurricane City now.

We support the improvements made on the new, re-located alignment and, as long as the proposal conforms to Hurricane City's Master Street Plan and re-connects with old US-91 to perpetuate public access to the Harrisburg area, we have no objection.

This request has been reviewed and approved by the UDOT Regional Director and right of way staff. We trust this provides the information and approval you need to process the realignment as proposed. If there is anything else we can help with, let us know.

Very truly yours,

Cedar District Engineer

cc: Hurricane City Corp.
(2 spaces) David Nuffer, Attorney
Snow, Nuffer, Engstrom & Drake
P.O. Box 400
St. George, Ut. 84771-0400

DM/

(PKM DRAFT FOR DANA TO SEND TO TITLE CO. - DROPPED OFF TO HIM @ D-5 3-3-95)

Utah Department of Transportation
1470 North Airport Road
Cedar City, Utah 84720
(801) 586-4491 ext 500
Fax: (801) 586-8268

fax transmittal

PLEASE DISREGARD PREVIOUS FAX, I SENT THE WRONG ONE.

to: Pete Monson

989-4200

fax: 896-6405

from: Dana A. Meier, P.E.

date: February 28, 1995

re: Old Highway 91 Right-of-Way

pages: 4, including cover sheet.

NOTES: The title company would like to know if we still have any rights to this property. If not, they would like a letter stating so. I believe the property in question is no longer needed since we realigned the road as a part of the SR-9 project. Please review the documents and let me know what you think as soon as possible, the title company would like to have a closing on this property.

Thanks for your help.

Alpha Engineering

148 East Tabernacle
St. George, Utah 84770
(801) 628-6500
Fax: (801) 628-6553

FAX TRANSMISSION COVER SHEET

Date: *February 27, 1995*

To: *Dana ~~Myers~~ Meier, U.D.O.T. Cedar City*

Fax: *(801) 586-8268*

Subject: *Old Highway 91 Abandonment*

Sender: *Brent Gardner*

YOU SHOULD RECEIVE THREE PAGE(S), INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (801) 628-6500.

COMMENTS:

Attached is map showing the new location of Highway 91 in relation to the old alignment and a letter of request from Southern Utah Title. Could you please send the necessary documentation?

Thanks

Southern Utah Title Company

February 15, 1995

ALPHA ENGINEERING
Attn: Brent Gardner
148 East Tabernacle
St. George, UT 84770

FAX 628-6553

Brent:

In confirmation of our telephone conversation this afternoon, please ask ~~Scott Hirschi~~ U.D.O.T. to give us a letter, as follows:

"The State of Utah hereby disclaims any right, title, and interest in and to the old roadway roadbed of Highway 91 as the same lies within All of GATEWAY NORTH INDUSTRIAL PARK PHASE 1 AMENDED situated in Washington County, State of Utah."

_____."

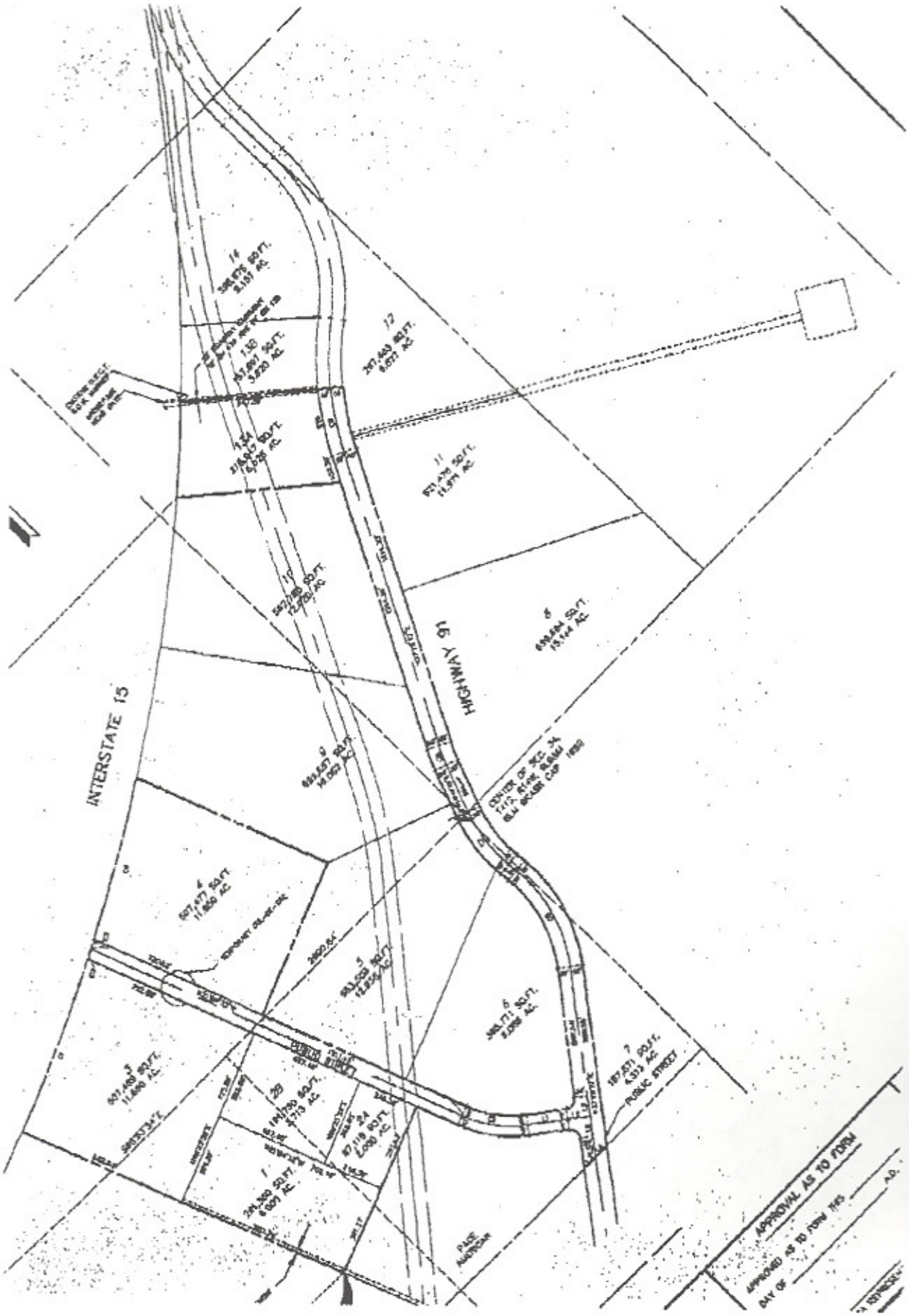
By so doing our underwriter has authorized us to remove as an exception to title reports in said Subdivision (and those lots so affected by the old roadbed), any reference to the prescriptive Easement for old Highway 91.

I was under the impression we received such a letter when we closed the original Pace American purchase, but after reviewing the file I found that such disclaimer applied only as to that site alone.

Very Truly Yours,

SOUTHERN UTAH TITLE COMPANY
H. Allan Carter, Director

40 SOUTH 100 EAST, P.O. BOX 190, ST. GEORGE, UTAH 84770 TELEPHONE (801) 628-0404 FAX (801) 628-6681


INTERSTATE 15
HIGHWAY 91
PUBLIC STREET
APPROVAL AS TO FORM

State of Utah
UTAH DEPARTMENT OF TRANSPORTATION

Michael O. Leavitt
Governor
W. Craig Zwick
Executive Director

4501 South 2700 West
Salt Lake City, Utah 84119-5998
(801) 965-4000
FAX: (801) 965-4338

Transportation Commission
Samuel J. Taylor
Chairman
Wayne S. Winters
Vice Chairman
Todd G. Weston
James G. Larkin
Ted D. Lewis
Shirley J. Iverson
Secretary

December 21, 1993

Ms. Jill Jones, Paralegal
Jones, Waldo, Holbrook & McDonough
The Tabernacle Tower Bldg.
249 East Tabernacle
St. George, Utah 84770-2978

Dear Ms. Jones:

Enclosed is the signed Escrow Agreement (revised) and Quit Claim Deed regarding the Pace American, Inc., land purchase in Hurricane, Utah.

If you need anything further, please contact me.

Sincerely,

H.H. Richardson, P.E.
Assistant Director

HHR/jbl

Enclosure

cc: Dan F. Nelson, Southern Region Director
J.R. Chamberlain, District Five Director
L. Robert Fox, Chief, Right of Way Division

Post-It™ brand fax transmittal memo 7671	# of pages ▸ 11
To GREG SANT	From PETE MONSON
Co. SANT - PACIFIC	Co. UTAH - DOT
Dept.	Phone # 596-8501 (EXT. 108)
Fax # (801) 674-2580	Fax # 896-6456

an equal opportunity employer

ESCROW AGREEMENT

TO: Southern Utah Title Company, Inc.
40 South 100 East
St. George, UT 84770

FROM: (1) UTAH DEPARTMENT OF TRANSPORTATION
4501 South 2700 West
Salt Lake City, UT 84119-5998 ("STATE")

(2) WASHINGTON COUNTY
197 East Tabernacle Street
St. George, UT 84770 ("COUNTY")

(3) HURRICANE CITY and HURRICANE REDEVELOPMENT AGENCY
202 East State Street
Hurricane, UT 84737 ("CITY/AGENCY")

(4) WINDING RIVER ASSOCIATES
c/o Jeff Starkey
Snow, Nuffer, Engstrom & Drake
90 East 200 North
St. George, UT 84770 ("SELLER")

(5) PACE AMERICAN OF UTAH, INC.
11550 Harter Drive
Middlebury, IN 46540 ("BUYER")

It has been brought to our attention that a sale of real property is in Escrow at your company between Winding River Associates and Pace American of Utah, Inc. covering the property described on the Attached Preliminary Title Report. On Schedule B, Section 2 of the Preliminary Title Report, the following exceptions are included:

> 16. The herein described premises do not appear to abut a public road or highway. The Policy, when issued, will not insure either access or access rights or title to adjoining property which would provide access to a public road or highway.
>
> 20. Subject to the rights of the State of Utah, Washington County and Hurricane City, and the public and in those portions of the land lying within old U.S. Highway 91, (affects a portion).

Buyer represents that it is a utility trailer manufacturer and due to its own business reasons, it must commence construction of its trailer manufacturing facility on the property at the earliest

opportunity. Accordingly, you are hereby provided certain special escrow instructions intended to facilitate the clearing of exceptions 16 and 20 listed above as follows:

(I) Delivered herewith into your possession are three original executed Quit Claim Deeds to the 10.00 acre parcel, described in the Preliminary Title Report referred to above.

(a) Quit-Claim Deed: Hurricane City, a Municipal Corporation of the State of Utah to Winding River Associates.

(b) Quit-Claim Deed: Hurricane Redevelopment Agency, a political subdivision of the State of Utah to Winding River Associates.

(c) Quit-Claim Deed: Washington County, a Political Subdivision of the State of Utah to Winding River Associates.

(d) Quit Claim Deed: The State of Utah, through the Utah Department of Transportation to Winding River Associates.

(II) You are instructed to hold these Quit-Claim Deeds and record them:

(a) upon the written certification by Brent Gardner of Alpha Engineering, project manager for the road realignment project of old U.S. 91, that the old U.S. 91 right of way has been rerouted around the 10.00 acre parcel Schedule A, and that the improvement of the realigned right of way is of a quality equal to or better than that which existed prior to the realignment. Certification shall also show that realignment required above follows the roadway realignment set forth in red on the attached Map, Schedule B, and that it is in conformity with all design and construction maps and drawings provided by the project engineer;

(III) Following the recordation of the Quit-Claim Deeds, the State of Utah shall commence the process for an Abandonment Resolution (either specific to old U.S. 91 on the 10.00 acre parcel, Schedule A, or as a part of the larger realignment of old U.S. 91 on other parcels in the area, at the discretion of the State) as to the portion of old U.S. 91 that was within the boundaries of the 10.00 acre parcel, Schedule A, and upon the completion and recording thereof, you shall issue an amended ALTA Policy of Title Insurance to the Buyer showing the removal of the exceptions referenced above as disposed of and removed all together as an exception from Schedule B to the Policy of Title Insurance.

Escrow fees associated with this Escrow Agreement shall be considered costs of closing of the sale from Winding River Associates to Pace American of Utah, Inc. and shall be borne by Winding River Associates up to two hundred fifty dollars ($250.00). Any costs in excess shall be split by the parties as set forth in their separate sales and closing agreements.

The State's participation in this Escrow Agreement is done as an accommodation to the respective parties to the real estate sales transaction in the interests of resolving their proposal to clear the above referenced exceptions from the title to the property. By executing this agreement, the State does not provide any warranty, representation or guarantee that the title issues will be resolved to the satisfaction of the parties to the sale. Furthermore, the parties to the sale, and each of them agree to hold the State harmless for its respective participation in this agreement.

If for any reason the conditions for recording set forth in Section II above are not met within six (6) months of the date hereof, you shall return all Quit Claim Deeds to the respective Grantors thereof and this Escrow Agreement shall be deemed canceled.

Each of the persons executing this agreement hereby represents that he is fully authorized to so act on behalf of the entity on whose behalf the signature is made and that if the signature is given on behalf of a public body, agency or entity, that authorization was given by the appropriate Board governing the same.

It is agreed further by the parties executing this agreement that the same may be executed in counterpart.

DATED this _____ day of December, 1993,

UTAH DEPARTMENT OF TRANSPORTATION

BY _____
W. Craig Zwick

PACE AMERICAN OF UTAH, INC.

BY _____
Its _____

WINDING RIVER ASSOCIATES
by Winding River Properties,
a Utah corporation,
General Partner

_____
H. C. Cannon

WASHINGTON COUNTY

BY _____
E. Royden Christian

HURRICANE CITY

By _____
Del Stout

Acknowledged and accepted:
SOUTHERN UTAH TITLE COMPANY

_____
H. Allan Carter

C:\Pace\es.agt

Mail Tax Notice to
11550 Harter Drive
Middlebury, IN 46540

QUIT-CLAIM DEED

The Utah Department of Transportation, GRANTOR, hereby Quit Claims to **Winding River Associates, GRANTEE,** for the sum of Ten Dollars ($10.00) and other good and valuable consideration the following described tract of land in Washington County State of Utah:

(See Attachment A)

Those who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under under the laws of the State by Utah an agent of the State of Utah.

In witness whereof, the grantor has caused its hand this 21st day of December, 19 93.

UTAH DEPARTMENT OF TRANSPORTATION

By _____
W. Craig Zwick, Director

Attest:

_____

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 21st day of December, 1993, personally appeared before me, W. Craig Zwick, who, being by me duly sworn, did say that he is the Director of the Utah Department of Transportation, that said instrument was signed in behalf of the State of Utah Department of Transportation and that said W. Craig Zwick acknowledged to me that said State of Utah executed the same.

_____
NOTARY PUBLIC
Residing at: Salt Lake County

My Commission Expires:

5-5-96

C:\pace\QCDUDOT

NOTARY PUBLIC
Shirley J. Iverson
4501 South 2700 West
Salt Lake City, Utah 84119
My Commission Expires
May 5, 1996
STATE OF UTAH

T-307

Memorandum

UTAH DEPARTMENT OF TRANSPORTATION

DATE: January 26, 1994

TO : Ken Adair, P. E.
Southern Region Preconstruction Engineer

FROM : J. R. Chamberlain, P. E.
District Five Director

SUBJECT: Request for Documents to Abandon Old U.S. 91 Right-of-way

Would you please prepare the necessary documents to have the section highlighted on the attached map abandoned. This is a section of old U.S. 91 beginning at SR-9 and going northwesterly towards Harrisburg.

A review of the right-of-way books in this office indicates this is an old prescriptive right-of-way 100 feet wide 50 feet each side of the center line. There were no parcel numbers to reference the right-of-way to an old project.

When you have the necessary documents prepared would you either forward to Dyke Lefevre, with a request for commission action to abandon or return to me and I will request the abandonment.

Jerry Lunceford is likely to be very familiar with this area and the right-of-way.

Thank you for your assistance.

JRC:djas

cc: Howard Richardson
Pete Monson
Jerry Lunceford

STATE OF UTAH

OFFICE OF THE ATTORNEY GENERAL

JAN GRAHAM
ATTORNEY GENERAL

JOHN F. CLARK
Counsel to the Attorney General

CAROL CLAWSON
Solicitor General

REED RICHARDS
Chief Deputy Attorney General

PALMER DEPAULIS
Director of Public Policy & Communications

OFFICE OF THE ATTORNEY GENERAL

MEMORANDUM

TO: DAN NELSON, P.E.
REGIONAL DIRECTOR
DISTRICT SIX

FROM: DONALD S. COLEMAN
ASSISTANT ATTORNEY GENERAL

DATE: November 22, 1993

RE: Vacation of Segment of U.S. 91 in Hurricane

Please find enclosed a request from Attorney David Nuffer regarding the vacation of a segment of Old U.S. 91 in Hurricane, Utah. Please review this request and advise me of UDOT's position regarding the request.

DSC/dp
Enclosure

cc: Howard Richardson
J.R. Chamberlain

11-29 11:45

Post-It™ brand fax transmittal memo 7671	# of pages ▸ 3
To BOB FOX	From PETE MONSON
Co. R/W ADM.	Co. UDOT R-7
Dept.	Phone # 896-9501
Fax # 965-4796	Fax # EXT. 708

4120 State Office Building • SALT LAKE CITY, UTAH 84114-0811 • TEL: 801-538-9500 • FAX: 538-3442

SNOW, NUFFER, ENGSTROM & DRAKE

A PROFESSIONAL CORPORATION

STEVEN E. SNOW
DAVID NUFFER*
CHRIS L. ENGSTROM
LYLE R. DRAKE
TERRY L. WADE +
RANDALL R. SMART
JEFFREY N. STARKEY +
PATRICIA G. BRACKEN
E. SCOTT AWERKAMP
MICHAEL A. DAY

* Also Admitted in Arizona
+ Also Admitted in Nevada

ATTORNEYS AT LAW

90 East 200 North
P.O. Box 400
St. George, Utah 84771 0400

(801) 674-0400

FAX (801) 628-1610

SALT LAKE CITY OFFICE:

341 South Main St. Suite 201
Salt Lake City, Utah 84101
(801) 538-0400
FAX: (801) 538-0423

November 19, 1993

Donald S. Coleman, Esq.
236 State Capitol
Salt Lake City, UT 84114

Re: Road Vacation on Old Highway 91

Dear Don:

You helped me out with a road problem in Kanab a few years ago. Now we have a similar problem in Hurricane.

Old Highway 91 near I-15 on the west boundary of Hurricane near the new Walmart Distribution Facility was never formally dedicated or deeded. The road was informally abandoned as a state highway but never vacated of record. The physical location of the asphalt has been changed in connection with the development of the Walmart site. It is necessary to vacate the old road location in order to convey clear title to purchasers.

I enclose a map showing the old road and the realignment. The realignment has been established by new documents.

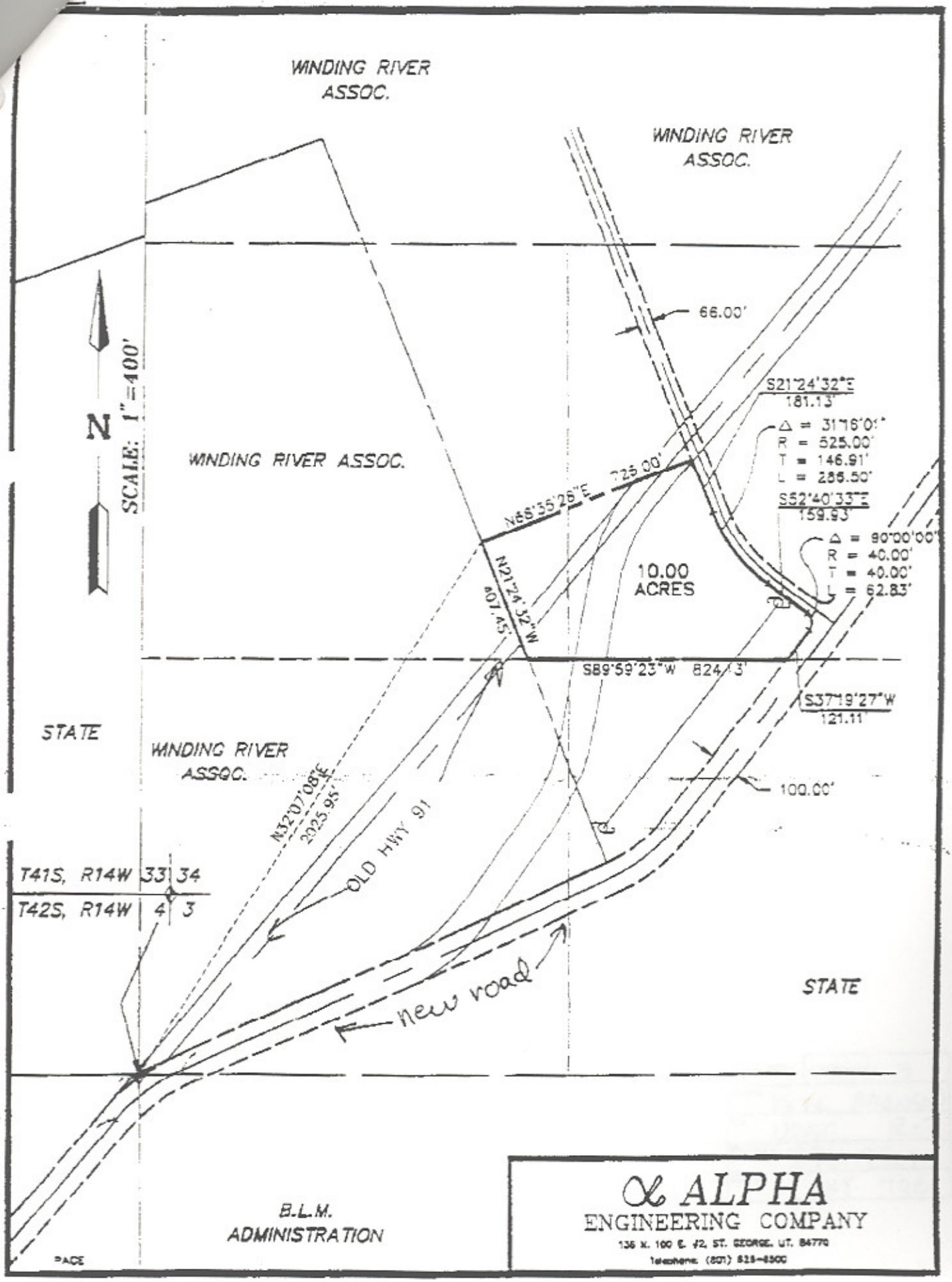
Can we arrange to move this through the process of approval by the Commission?

Sincerely,

SNOW, NUFFER, ENGSTROM & DRAKE

David Nuffer

MC/DC/DN:W:WRA 288606 Harrisburg:letdac 111993 288606 dn


WINDING RIVER ASSOC.
WINDING RIVER ASSOC.
WINDING RIVER ASSOC.
WINDING RIVER ASSOC.
WINDING RIVER ASSOC.
N
SCALE: 1"=400'
66.00'
S21°24'32"E
181.13'
Δ = 31°16'01"
R = 525.00'
T = 146.91'
L = 286.50'
S52°40'33"E
159.93'
Δ = 90°00'00"
R = 40.00'
T = 40.00'
L = 62.83'
N66°35'28"E 725.00'
N21°24'32"W
607.45'
10.00 ACRES
S89°59'23"W 824.13'
S37°19'27"W
121.11'
100.00'
N32°07'08"E
2025.95'
OLD HWY 91
new road
STATE
STATE
T41S, R14W 33 34
T42S, R14W 4 3
B.L.M. ADMINISTRATION
ALPHA ENGINEERING COMPANY
136 N. 100 E. #2, ST. GEORGE, UT. 84770
Telephone: (801) 628-6300

State of Utah
UTAH DEPARTMENT OF TRANSPORTATION

Michael O. Leavitt
Governor
W. Craig Zwick
Executive Director

4501 South 2700 West
Salt Lake City, Utah 84119-5998
(801) 965-4000
FAX: (801) 965-4338

Transportation Commission
Samuel J. Taylor
Chairman
Wayne S. Winters
Vice Chairman
Todd G. Weston
James G. Larkin
Ted D. Lewis
Shirley J. Iverson
Secretary

December 16, 1993

Mr. Alan Carter
Southern Utah Title Company
40 South 100 East
St. George, Utah 84770

Dear Mr. Carter:

SUBJECT: Escrow Agreement and Quit Claim Deed for Pace American, Inc.

Transmitted herewith is an escrow agreement and quit claim deed executed by Mr. W. Craig Zwick, our Executive Director.

These instruments are being forwarded as requested by Mr. Timothy B. Anderson of Jones, Waldo, Holbrook & McDonough, for your use in connection with the Pace American initiative to acquire property for a manufacturing site and relocate certain existing public highways.

Sincerely,

H.H. Richardson, P.E.
Assistant Director

HHR/jbl

Attachment

cc: L. Robert Fox, Chief, Right of Way Division
J.R. Chamberlain, District Five Director
Dan F. Nelson, Southern Region Director

an equal opportunity employer

T-307

Memorandum

UTAH DEPARTMENT OF TRANSPORTATION

DATE: January 26, 1994

TO : Ken Adair, P. E.
Southern Region Preconstruction Engineer

FROM : J. R. Chamberlain, P. E.
District Five Director

SUBJECT: Request for Documents to Abandon Old U.S. 91 Right-of-way

Would you please prepare the necessary documents to have the section highlighted on the attached map abandoned. This is a section of old U.S. 91 beginning at SR-9 and going northwesterly towards Harrisburg.

A review of the right-of-way books in this office indicates this is an old prescriptive right-of-way 100 feet wide 50 feet each side of the center line. There were no parcel numbers to reference the right-of-way to an old project.

When you have the necessary documents prepared would you either forward to Dyke Lefevre, with a request for commission action to abandon or return to me and I will request the abandonment.

Jerry Lunceford is likely to be very familiar with this area and the right-of-way.

Thank you for your assistance.

Pete

GET ABANDONM'T DOCUMENTS SO TITLE CAN CLOSE OFF CO. RECORDS.

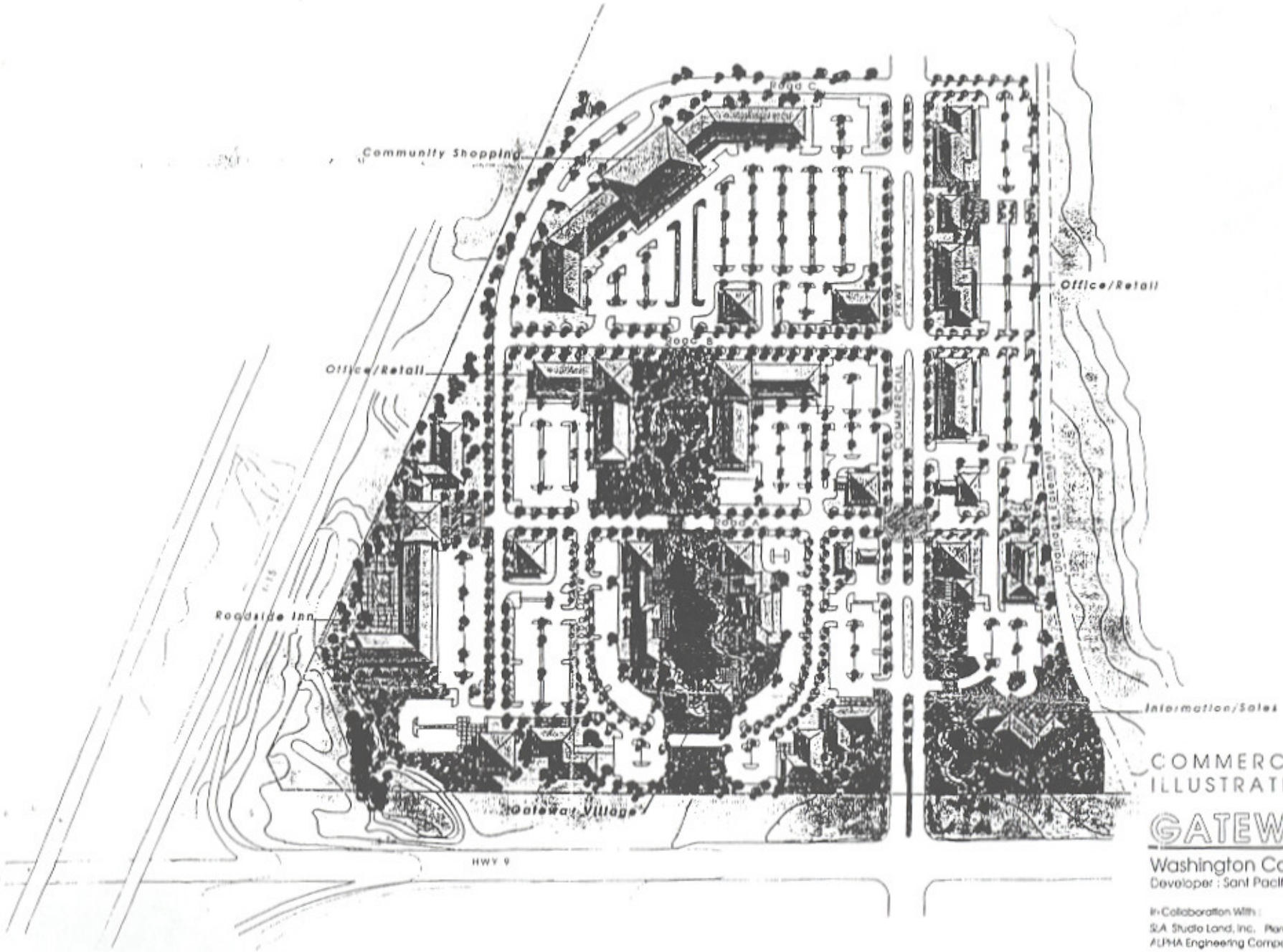
Will you review this and arrange to have it completed.

Ken

JRC:djas

cc: Howard Richardson
Pete Monson
Jerry Lunceford

w/ Dan & Ken



COMMERCIAL HIGH
ILLUSTRATIVE PLAN

GATEWAY CE

Washington County, Utah
Developer : Sant Pacific Group

In Collaboration With :
SLA Studio Land, Inc. Planners / Landscape Archite
ALPHA Engineering Company Civil Engineers

0 50 100 200

State of Utah
UTAH DEPARTMENT OF TRANSPORTATION

Norman H. Bangerter
Governor

Eugene H. Findlay, C.P.A.
Director

Howard H. Richardson, P.E.
Assistant Director

Dan F. Nelson
Southern Region Director

1345 South 350 West
P.O. Box 700
Richfield, Utah 84701
(801) 896-9501
Fax (801) 896-6958

Transportation Commission
Samuel J. Taylor
Chairman
Wayne S. Winters
Vice Chairman
Todd G. Weston
James G. Larkin
Ted D. Lewis
Shirley Iverson
Secretary

FEB. 1, '93

~~January 26~~ 27, 1993

Sant Pacific Group
c/o Rick Sant
One Lakeshore Centre
3281 East Guasti Road
Ontario, California 91761

Dear Mr. Sant,

Could you or one of your co-workers please give me a call regarding some highway items at the junction of Old Highway 91 with State Road 9 (the Wal-Mart intersection) in Washington Co. Utah.

We have tried repeatedly the last couple of days to reach you by telephone, but the line is always busy.

Our questions also include some access problems Utah Power and Light is having in locating their power sub-station to serve the new development in the area.

Thank you,

P.K. Monson

P.K. (Pete) Monson, P.E.
UDOT Regional R/W Engineer
Richfield, Utah 84701
Telephone: (801) 896-9501 Ext. 708

PKM/nn

an equal opportunity employer

NEVER COULD GET FAX THRU -